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COMMUNICATIONS COMMISSION

EX PARTE

ORIGINAL

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

FILED/ACCEPTED

OCT 25 2007

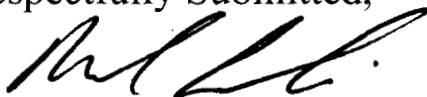
Federal Communications Commission
Office of the Secretary

Re: *Exclusive Service Contracts for Provision of Video Services in
Multiple Dwelling Units and Other Real Estate Developments,*
MB Docket No. 07-51

Dear Ms. Dortch:

Enclosed please find a copy of a letter from Senator Hillary Rodham Clinton that was sent to Commissioner Michael Copps and Commissioner Jonathan Adelstein. Pursuant to 47 C.F.R. § 1.1206, please include this ex parte filing in the above-referenced docket.

Respectfully Submitted,



Michael Szymanski
Staff of Senator Hillary Rodham Clinton

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United States Senate

WASHINGTON, DC 20510-3204

October 24, 2007

The Honorable Jonathan Adelstein
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

The Honorable Michael J. Copps
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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Federal Communications Commission
Office of the Secretary

Dear Commissioner Adelstein and Commissioner Copps:

I understand that the Commission is considering whether to limit the ability of cable operators to use exclusive access arrangements with building owners to deny residents in multiple dwelling units (MDUs) a choice of competing video services. As I have heard from many of my constituents in New York about the need for consumer choice in their video and broadband options, I hope that you will support a decision in this proceeding that will bring the benefits of competition in terms of technology, choice, and price to consumers who occupy such units in New York and elsewhere.

Like you, I share the belief that the United States must do better in the deployment of broadband service to all Americans. The fact that we are 15th in the world is a matter of great concern to all of us.

A decision in the ongoing proceeding to prohibit exclusive access arrangements that deny competitive access to MDUs could help close the gap, although it will not be a panacea. About 30 percent of the American population resides in MDUs. This proportion is much higher in New York where more than half the population lives in such units, with many of these residents being lower income minorities. Indeed, the median family income of MDU residents is half that of the nation as a whole and over 40 percent are minorities. Like everyone else in the Information Age, they need access to affordable broadband in order to prosper and should be given the opportunity to choose which service is best for them.

I believe it is clear that consumers benefit from access to more capable technology and more diverse content at lower prices and MDU residents are certainly no exception. Moreover, I am encouraged that public advocacy groups such as the Consumers Union, have urged the

Commission to take action to limit the impact of these exclusive access agreements which they view as not in the interests of consumers.

So as you consider the issues in the ongoing MDU proceeding, I hope that any new set of rules will ensure that exclusive access arrangements are properly curbed both retrospectively and prospectively. Any regulations should ensure that the consumers' interests are best served through competition and choice.

Thank you for your attention to my concerns.

Sincerely yours,

A handwritten signature in black ink that reads "Hillary Rodham Clinton". The signature is written in a cursive, flowing style with a long horizontal flourish at the end.

Hillary Rodham Clinton